

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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WILLIAM NESBIT,

Plaintiff,

vs.

ROBERT L. FORNARO, et al.,

Defendant.

2:11-CV-00092-PMP-GWF

ORDER

On March 31, 2011, the Honorable George W. Foley, Jr., United States Magistrate Judge entered Findings and Recommendations (Doc. #20) recommending that Defendants' Motion to Stay (Doc. #6) be granted and that Plaintiff's Emergency Counter Motion (Doc. #12) be denied.

On April 11, 2011, Plaintiff filed a motion titled "Plaintiff's Motion for Reconsideration of the Recommendation and Finding Dated March 31, 2011." (Doc. #23). Although, Plaintiff's filing is styled as a "Motion for Reconsideration," the Court deems it appropriate to treat Plaintiff's filing as Plaintiff's objections in accord with 28 U.S.C. § 636(b)(1)(C). The Court has conducted a *de novo* review of the proceedings before the Magistrate Judge, as well as, Defendants' Response in Opposition to Plaintiff's Motion (Doc. #32) and Plaintiff's Reply (Doc.'s #45 & #46). Based upon the *de novo review*, the Court finds that the recommendations of the Magistrate Judge should be approved and Plaintiff's objections thereto overruled.

1 **IT IS THEREFORE ORDERED** that the Findings and
2 Recommendations of the Honorable George W. Foley, Jr., United States Magistrate
3 Judge (Doc. #20) entered March 31, 2011 are hereby **AFFIRMED**, and Plaintiff's
4 objections thereto (Doc. #23) are **OVERRULED**.

5 **IT IS FURTHER ORDERED** that Defendants' Motion to Stay (Doc. #6)
6 is **GRANTED** and Plaintiff's Counter Motion (Doc. #12) is **DENIED**.

7 **IT IS FURTHER ORDERED** that the parties to this action shall file a
8 Joint Status Report advising this Court of the progress in the *Leonelli* action on or
9 before **November 10, 2011**, and at six month intervals thereafter until there is a final
10 resolution of the *Leonelli* action.

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12 DATED: May 12, 2011.

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15 PHILIP M. PRO
16 United States District Judge
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